

## Message Text

UNCLASSIFIED

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ACTION EB-08

INFO OCT-01 EUR-12 IO-14 ISO-00 CAB-05 CIAE-00 COME-00

DODE-00 DOTE-00 INR-07 NSAE-00 FAA-00 L-03 /050 W

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R 201936Z JAN 78

FM AMCONSUL MONTREAL

TO SECSTATE WASHDC 9938

INFO USMISSION USUN NEW YORK

UNCLAS MONTREAL 0140

FROM USREP ICAO

E.O. 11652: NA

TAGS: PINS, PORG, EAIR, ICAO

SUBJECT: ICAO UNLAWFUL INTERFERENCE CTE MTG, 1/19/78

1. WORKING FROM UI WP-90, CTE BEGAN DISCUSSION OF ANNEX 17, CHAPTER ONE, "APPLICABILITY CLAUSE," AND FRG'S PROPOSAL FOR PARA 1.2. DISCUSSION PREDICTABLY WAS VIGOROUS, AND CTE AGAIN AGREED TO DEFER FINAL CONSIDERATION OF THIS CHAPTER UNTIL LEGAL BUREAU CAN GIVE READING ON PROVISION.

2. CTE ADOPTED FRG PROPOSED STANDARD 3.2.1 AS AMENDED BY SENEGAL: QUOTE: EACH CONTRACTING STATE SHALL DESIGNATE AN APPROPRIATE AUTHORITY WITHIN ITS ADMINISTRATION WHICH WILL BE IN CHARGE OF THE CIVIL AVIATION SECURITY PROGRAM AND ALWAYS EXERCISE OVERALL CONTROL OVER IMPLEMENTATION OF THIS PROGRAM. UNQUOTE

3. FRG PROPOSAL FOR PARA 4.1.5 OF ANNEX 17 WAS SUBJECT OF CONSIDERABLE DEBATE. COMMITTEE CHAIRMAN FINALLY ADJOURNED WITH REQUEST TO INTERESTED PARTIES TO EVOLVE JOINT TEXT IF POSSIBLE FOR JAN. 24 MEETING.

4. MISSION COMMENT: APPLICABILITY CLAUSE WHICH WE PROPOSED IN C-WP 6648 HAS ENCOUNTERED SEVERE DIFFICULTIES, AND JUSTIFIABLY SO.-- SOME STATES EXPRESS CONCERN THAT THERE ARE PRESENTLY TWO CLASSES UNCLASSIFIED

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OF ICAO STANDARDS, WITH THOSE OF ANNEX 17 TO BE LESS FORCEFUL."" OTHER STATES TAKE CONVERSE VIEW, AGREEING ONLY RELUCTANTLY TO BURDENSOME STANDARDS WITH FULL INTENTION NOT TO IMPLEMENT UNDER PRESENT CLAUSE'S FLEXIBILITY. -- THERE IS RELUCTANCE ON PARTS OF SOME REPS TO ADOPT PROVISIONS WHICH WILL REQUIRE THEIR STATE TO FILE A DIFFERENCE. -- JAPAN NOTED THAT OUR PROPOSAL WOULD INCLUDE THE ATTACHEMENT TO ANNEX 17, WHICH IS MADE UP OF

PROVISIONS FROM OTHER ANNEXES, THUS EXTENDING ANNEX 17  
APPLICABILITY TO OTHER ANNEXES. -- APPLICABILITY PROVISIONS OF  
OTHER ANNEXES, WHEN ANNEXES HAVE THEM, APPLY TO AIRCRAFT. ONLY  
ANNEX 14 HAS A PROVISION WHICH APPLIES TO IMPLEMENTATION BY  
AUTHORITIES.  
HARPER

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## Message Attributes

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**Review Markings:**  
Sheryl P. Walter  
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**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014